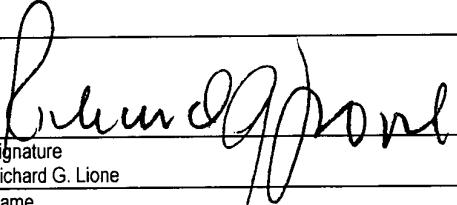


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Date of Deposit February 15, 2002.

JC10 Rec'd PTO 15 FEB 2002

FORM PTO-1390 (REV. 5-93) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INTERNATIONAL APPLICATION NO. PCT/JP01/05096	CASE NO. 5404-18 U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/049710
INTERNATIONAL FILING DATE June 15, 2001		PRIORITY DATE CLAIMED	
TITLE OF INVENTION METHOD OF INDUCING GENE EXPRESSION IN PLANT AND PLANT TREATED THEREBY			
APPLICANT(S) FOR DO/EO/US Atsuhiko Shinmyo, Kou Kato, Yasuhiro Yamada, Takuya Nihira and Takuya Shindo			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)) and/or amendments under Article 34.</p>			
Items 11. to 16. Below concern other document(s) or information included:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input type="checkbox"/> Other items or information:</p>			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) 10/049710	INTERNATIONAL APPLICATION NO. PCT/JP01/05096	CASE NO. 5404-18																																							
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$890.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1)) \$710.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.492(a)(2)) \$740.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.492(a)(3)) paid to USPTO \$1,040.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p>		<p>CALCULATIONS</p> <p>PTO USE ONLY</p>																																							
ENTER APPROPRIATE BASIC FEE AMOUNT		\$890																																							
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Claims</td> <td style="width: 25%;">Number Filed</td> <td style="width: 15%;">Number Extra</td> <td style="width: 15%;">Rate</td> <td style="width: 30%;"></td> </tr> <tr> <td>Total Claims</td> <td>37- 20 =</td> <td>17</td> <td>x \$ 18.00</td> <td>\$306.00</td> </tr> <tr> <td>Independent Claims</td> <td>3- 3 =</td> <td>0</td> <td>x \$ 84.00</td> <td></td> </tr> <tr> <td>Multiple dependent claim(s) if Applicable</td> <td></td> <td>0</td> <td>+ \$280.00</td> <td></td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1196</td> </tr> </table> <p>Reduction by $\frac{1}{2}$ for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">SUBTOTAL =</td> <td style="width: 90%;">\$1196</td> </tr> </table> <p>Surcharge of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">TOTAL NATIONAL FEE=</td> <td style="width: 90%;">\$1196</td> </tr> </table> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31), \$40.00 per property +</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">TOTAL FEES ENCLOSED=</td> <td style="width: 90%;">\$1196</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"></td> <td style="width: 30%;">Amount to be refunded</td> </tr> <tr> <td></td> <td>\$</td> </tr> <tr> <td></td> <td>charged</td> </tr> <tr> <td></td> <td>\$</td> </tr> </table>			Claims	Number Filed	Number Extra	Rate		Total Claims	37- 20 =	17	x \$ 18.00	\$306.00	Independent Claims	3- 3 =	0	x \$ 84.00		Multiple dependent claim(s) if Applicable		0	+ \$280.00		TOTAL OF ABOVE CALCULATIONS =				\$1196	SUBTOTAL =	\$1196	TOTAL NATIONAL FEE=	\$1196	TOTAL FEES ENCLOSED=	\$1196		Amount to be refunded		\$		charged		\$
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<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1196 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 23-1925 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.</p>																																									
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																																									
<p>Send All Correspondence to:</p> <p>Brinks Hofer Gilson & Lione P.O. Box 10395 Chicago, IL 60610</p>		 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Signature</td> <td style="width: 50%;">Richard G. Lione</td> </tr> <tr> <td>Name</td> <td></td> </tr> <tr> <td>19,795</td> <td></td> </tr> <tr> <td>Registration Number</td> <td></td> </tr> </table>	Signature	Richard G. Lione	Name		19,795		Registration Number																																
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